

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE		Docket No. C0011/7002
Applicant:	Christopher J. Howard, Peter S. Levy and Joshue D. de la Cuesta	
Serial No:	09/393,405	
Filed:	September 10, 1999	
For:	Limited-Use Browser And Security System	
Examiner:	Pierre E. Elisca	
Art Unit:	3621	

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicant has the following comments on the Statement of Reasons for Allowance attached to the Notice of Allowance and Fee(s) Due dated June 28, 2006.

The examiner maintains that U.S. Patent No. 6,658,571 (O'Brien) is the closest prior art to the instant application. However, as noted in the Supplemental Appeal Brief filed on March 23, 2005, the O'Brien patent was filed on February 9, 1999. The present application was filed as a non-provisional application on September 10, 1999 and claimed priority to provisional application Serial No. 60/119,309, filed on February 8, 1999.

As per 35 U.S.C. §119 (e)(1), in effect when the present application was filed, the above-identified application is entitled to the filing date of the provisional application from which it claims priority. Thus, the effective filing date of the above-identified patent application is February 8, 1999. The examiner has not asserted that the present claims are not supported by the earlier-filed provisional application. Therefore, the effective filing date of the present application is earlier than the effective filing date of the O'Brien patent. Consequently, the O'Brien patent did not issue from an application that was filed before the effective filing date of the instant application and is not a reference under 35 U.S.C. §102(e). Since the O'Brien patent issued after the present application was filed, it is not a reference under 35 U.S.C. §102(b).

Therefore, applicant contends that the O'Brien patent is not a prior art reference.

Respectfully submitted

/paul e. kudirka/ Date: 2006-09-26  
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